

RECEIVED

Form 42-248/12-140906 Rev. 1/15

AUG 31 2018

IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
96-08823	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Bill Brown and Lou Vermeer
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Sunset Bay Owners Association, Inc.
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
108 S Second Ave Sandpoint ID 83864
Mailing address City State ZIP
208-263-6221
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: September 8, 1994
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
 ☒ \$25 per undivided water right.
 ☐ \$100 per split water right.
 ☐ No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Bill Brown President 8-28-18
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by NS Date 8-31-18 Receipt No. N033738 Receipt Amt. \$25.00
Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
Name on W-9 _____ Approved by _____ Processed by NS Date 7-16-2020

BILL OF SALE

Grantors: DARWIN W. BROWN
LOUIS F. VERMEER (Deceased)
108 S. Second Avenue
Sandpoint, ID 83864

Grantee: SUNSET BAY OWNERS ASSOCIATION, INC.
an Idaho nonprofit corporation
108 S. Second Avenue
Sandpoint, ID 83864

WHEREAS, Grantors are the holders of a Permit to Appropriate Water issued by the DEPARTMENT OF WATER RESOURCES as Permit No. 96-08823 dated September 8, 1994, which Permit was originally designed to benefit Lots 1 through 13, Sunset Bay Subdivision; and

WHEREAS, beginning at or around the time of issuance of the Permit (September 8, 1994), water from a domestic well has been appropriated for the use of the Sunset Bay Subdivision; and

WHEREAS, Grantors desire to transfer and convey to Grantee; and Grantee desires to acquire the Permit to Appropriate Water along with the well, waterlines and well works associated therewith.

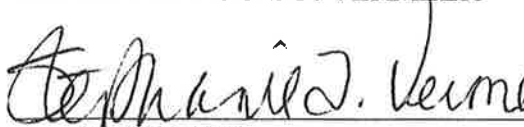
NOW, THEREFORE, BASED UPON THE FOREGOING RECITALS, THE TERMS AND CONDITIONS OF WHICH ARE INCORPORATED HEREIN:

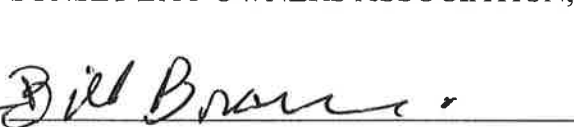
Grantors do hereby grant, bargain, sell and convey unto the Grantee the Permit to Appropriate Water (Permit No. 96-08823), together with all right, title and interest in and to the well, pumps, tanks and waterlines servicing the Sunset Bay Estates. Grantee, by execution hereof, accepts this transfer and all of the terms and conditions associated therewith.

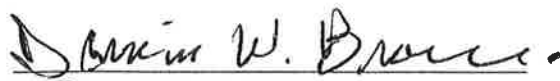
DATED this 22nd day of August, 2018.

Grantors:
ESTATE OF LOUIS F. VERMEER

Grantee:
SUNSET BAY OWNERS ASSOCIATION, INC.


By: STEPHANIE A. VERMEER
Personal Representative


By: BILL BROWN, President


DARWIN W. BROWN

STATE OF IDAHO)
) ss.
County of Bonner)

On this 22nd day of August, 2018, before me, a Notary Public in and for said State, personally appeared STEPHANIE A. VERMEER, known to me to be the person whose name is subscribed to the foregoing instrument as Personal Representative of the Estate of Louis F. Vermeer, deceased, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year last above written.



Dana L. Anderson
NOTARY PUBLIC--State of Idaho
Residing at: Sandpoint, ID
My Commission Expires: 8.5.2022

STATE OF IDAHO)
) ss.
County of Bonner)

On this 20th day of August, 2018, before me, a Notary Public in and for said State, personally appeared DARWIN W. BROWN, known to me to be the person whose name is subscribed in the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year last above written.

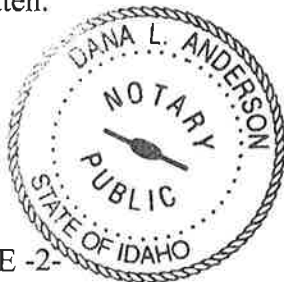


Dana L. Anderson
NOTARY PUBLIC--State of Idaho
Residing at: Sandpoint
My Commission Expires: 8.5.2022

STATE OF IDAHO)
) ss.
County of Bonner)

On this 20th day of August, 2018, before me, a Notary Public in and for said state, personally appeared BILL BROWN, known or identified to me to be the President of SUNSET BAY OWNERS ASSOCIATION, INC., an Idaho nonprofit corporation, the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the day and year last above written.



Dana L. Anderson
NOTARY PUBLIC--State of Idaho
Residing at: Sandpoint, Idaho
Commission Expires: 8.5.2022

Instrument # 926835
Bonner County, Sandpoint, Idaho
08/28/2018 11:15:20 AM No. of Pages: 5
Recorded for: DIEHL
Michael W. Rosedale Fee: \$22.00
Ex-Officio Recorder Deputy
Index to: EASEMENT



Instrument # 926452
Bonner County, Sandpoint, Idaho
08/21/2018 11:24:02 AM No. of Pages: 3
Recorded for: J T DIEHL
Michael W. Rosedale Fee: \$16.00
Ex-Officio Recorder Deputy
Index to: EASEMENT



ASSIGNMENT OF EASEMENT

THIS ASSIGNMENT is executed this 26th day of August, 2018, by and between DARWIN W. BROWN, of 108 S. Second Avenue, Sandpoint, Idaho 83864 ("Assignor") and SUNSET BAY OWNERS ASSOCIATION, INC., an Idaho corporation, whose registered office is 108 S. Second Avenue, Sandpoint, Idaho 83864 ("Assignee").

RECITALS

WHEREAS, on or about August 26, 1994, Assignor acquired from DAN JACOBSON an easement for the installation and maintenance of a well, pumps, tanks and waterline over, under and across real property described on Exhibit "A" attached hereto and incorporated herein by this reference. Said Easement was recorded in the records of Bonner County, Idaho, on August 29, 1994, as Instrument No. 451355; and

WHEREAS, on August 10, 1995, the parties to the original Easement agreement recorded an Addendum to Easement Agreement which was filed of record with the Bonner County Recorder on August 10, 1995, as Instrument No. 470155; and

WHEREAS, by instrument dated May 13, 2008, the easement was modified to expand the area encompassed by the easement, which instrument was recorded on May 21, 2008, as Instrument No. 751864, records of Bonner County, Idaho; and

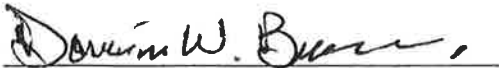
WHEREAS, it was contemplated by the parties to the initial easement that DARWIN W. BROWN, the herein Assignor, would assign all right, title and interest he had in and to the easement to the SUNSET BAY OWNERS ASSOCIATION, INC., and

WHEREAS, the parties hereto wish to memorialize the Assignment of the Easement.

NOW, THEREFORE, based upon the foregoing recitals, the terms and conditions of which are incorporated herein, Assignor hereby grants, bargains, sells and conveys unto Assignee all right, title and interest held by Assignor in and to the rights and obligations as set forth in the original Easement Agreement as well as the Addendum and Modification. Assignee hereby assumes all responsibilities associated with the obligations of the easement and agrees to hold Assignor harmless thereon.

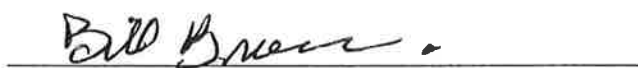
Executed this 20 day of August, 2018.

Assignor:


DARWIN W. BROWN, Assignor

Assignee:

SUNSET BAY OWNERS ASSOCIATION, INC.
an Idaho nonprofit corporation


By: BILL BROWN, President

STATE OF IDAHO)
) ss.
County of Bonner)

On this 20th day of August, 2018, before me, a Notary Public in and for said State, personally appeared DARWIN W. BROWN, known to me to be the person whose name is subscribed in the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year last above written.



Dana L. Anderson
NOTARY PUBLIC—State of Idaho
Residing at: Sandpoint
My Commission Expires: 8-5-2022

STATE OF IDAHO)
) ss.
County of Bonner)

On this 20th day of August, 2018, before me, a Notary Public in and for said state, personally appeared BILL BROWN, known or identified to me to be the President of SUNSET BAY OWNERS ASSOCIATION, INC., an Idaho nonprofit corporation, the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the day and year last above written.



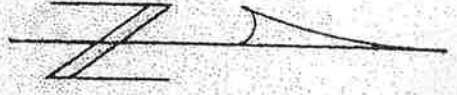
Dana L. Anderson
NOTARY PUBLIC—State of Idaho
Residing at: Sandpoint, Idaho
Commission Expires: 8-5-2022

EXHIBIT "A-1"

A tract of land for a water line easement 20 feet in width and two well easements, each 100 feet in diameter, located in a portion of the Northeast Quarter of Section 6, Township 56 North, Range 2 West, Boise Meridian, Bonner County, Idaho, the centerline of which is more particularly described as follows:

Commencing at the southernmost corner of that parcel of land described in warranty deed instrument number 444528, records of Bonner County, Idaho; thence $S28^{\circ}31'24''E$ a distance of 68.13 feet to a point on the south right of way of Lakeshore Drive, a county road (said point also being $S43^{\circ}40'55''E$ a distance of 1719.64 feet from the northwest corner of said Northeast Quarter of Section 6), said point being the true point of beginning; thence $S9^{\circ}56'54''E$ a distance of 83.35 feet; thence $S20^{\circ}20'47''E$ a distance of 70.54 feet; thence 48.67 feet along a curve to the left with a radius of 35.00 feet (the chord of which bears $S60^{\circ}10'56''E$, 44.84 feet); thence $N79^{\circ}58'56''E$ a distance of 57.52 feet to the center of a 50' radius well easement; thence $N71^{\circ}30'E$ a distance of 55 feet to the terminus of said easement centerline and the center of a 50-foot radius well easement.

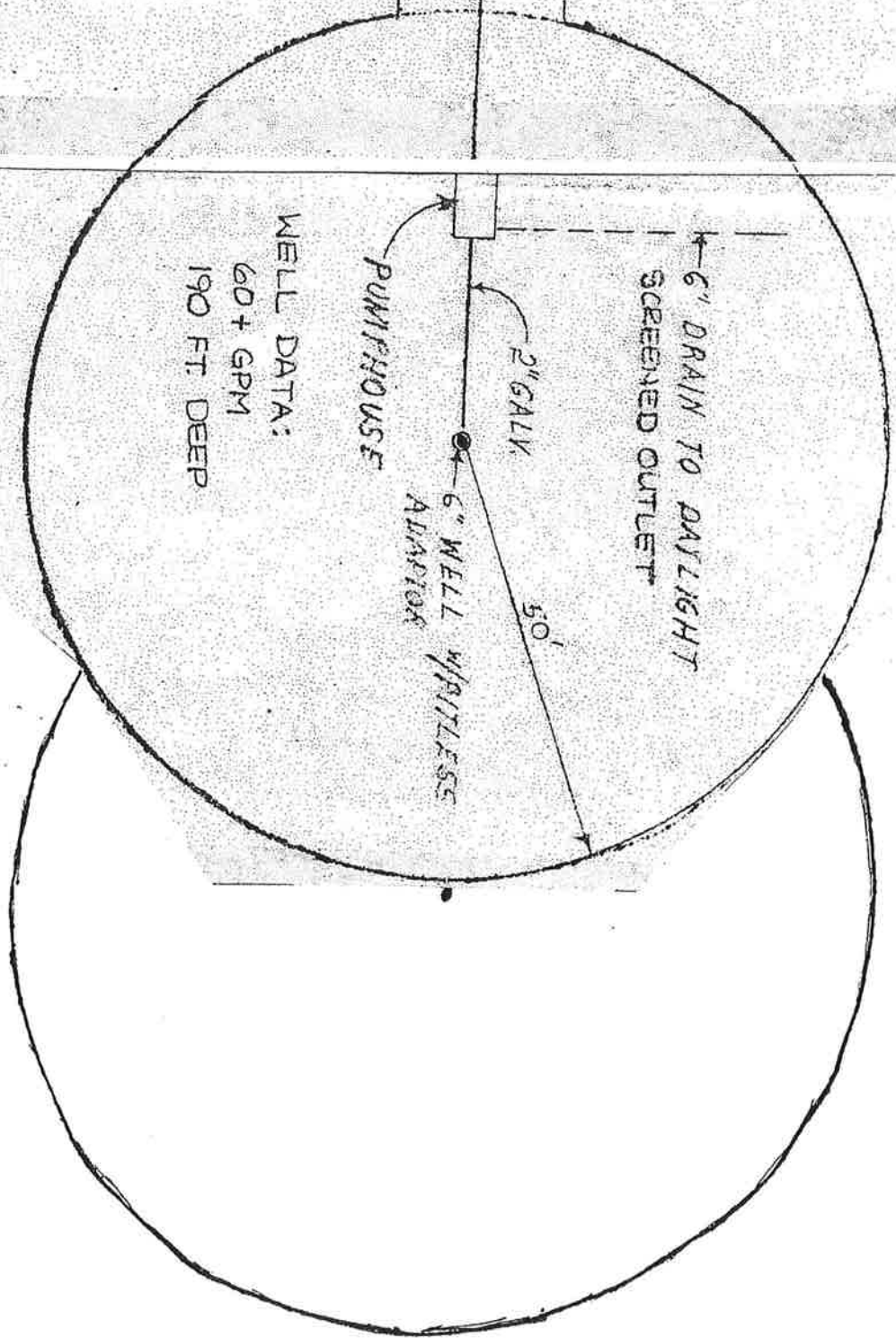
EXHIBIT "A-2"



-20'

3" PVC
SERVICE LINE

SITE PLAN
1"=20'



WELL DATA:
60+ GPM
190 FT. DEEP



Bonner County Clerk

Michael W. Rosedale, County Clerk
1500 Highway 2
Suite 335
Sandpoint, ID 83864
(208) 265-1490

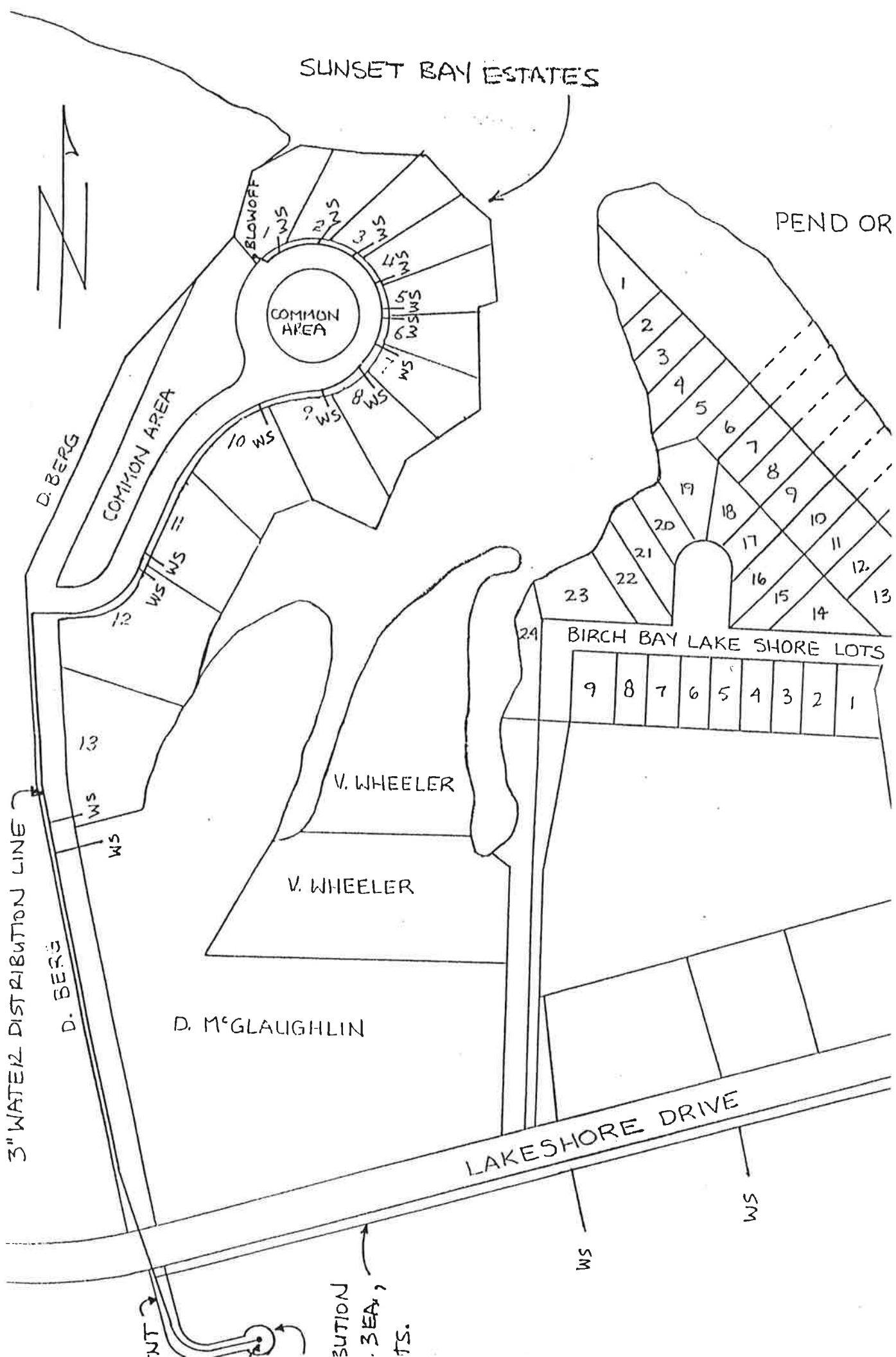
Receipt: 18-7659

Product	Name	Extended
502	EASEMENT	\$22.00
	External Document#	926835
	Document Info:	DIEHL
	# Pages	5
	Total# References	1
Total		\$22.00
Tender (Check)		\$22.00
Check Number	15775	
Paid By	DIEHL	

Thank You for Your Business

SUNSET BAY ESTATES WATER SYSTEM

1" = 200'





State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N MINERAL DR STE 100 • COEUR D ALENE, ID 83815-7763
Phone: (208)762-2800 • Fax: (208)769-2819 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

July 16, 2020

SUNSET BAY OWNERS ASSN
108 S SECOND AVE
SANDPOINT ID 83864-1309

Re: Change in Ownership for Water Right No(s): 96-8823

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 762-2813.

Sincerely,

Natalie Steading

Natalie Steading
Tech Records Specialist 1

Enclosure(s)